[BY AUTHORITY.]

LAWS OF NEW JERSEY.

CHAPTER XXXV.

An Act to amend an act entitled "An act to incorporate societies for the promotion of learning," approved April ninth, one thousand eight hundred and seventy-five.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That section four of the act of which this is amendatory be and the same is hereby amended to read as follows:

4. And be it enacted, That the trustees of each and every association incorporated under this act, and all such as shall be hereafter incorporated under said said act, shall be elected annually on the third Tuesday of April of each and every year, by the members of the said association, at the usual place of meeting of said association, or such other time or place as the board of trustees shall from time to time order and direct; six days' notice of the time, place and purpose of the meeting shall be given by the board of trustees by an advertisement set up in some conspicuous place in the neighborhood of said association; but vacancies happening during the year, that is, between the annual elections, by death, resignation, or otherwise, may be filled by the remaining trustees at a regular meeting of the board; provided, that no person shall be admitted to vote for trustees unless he or she shall have been duly admitted a member of said association by a majority of the trustees for the time being, and shall have paid to the said trustees, for the use of the association, at least one dollar, and that a majority of the members present at each and every annual meeting shall choose the trustees.

2. And be it enacted, That this act shall take effect immediately.

Approved February 15, 1888.

CHAPTER XXXVI.

A Supplement to "An act in relation to the distribution of the laws of this state and other documents published under the authority thereof," approved April ninth, one thousand eight hundred and seventy-five.

Whereas, Many of the states distribute their public documents through the medium of their respective historical societies, and it would make the documents of this state more accessible to a large number of persons likely to be interested therein were a similar policy adopted by the state of New Jersey; therefore,

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That the treasurer of the state, in the distribution of the journal of the senate and the minutes of the general assembly of this state, and of such reports of state officers, state boards and reports of legislative committees as may be laid before the legislature from time to time, shall transmit, at the expense of the state, and as soon as conveniently may be after they shall come to his hands, fifty copies of each of such publications to the New Jersey historical society for distribution by said society and exchange with other historical societies.

2. And be it enacted, That this act shall take effect immediately.

Approved February 15, 1888.

CHAPTER XXXVII.

A Further Supplement to an act entitled "An act for the formation of borough governments," approved April fifth, one thousand eight hundred and seventy-eight.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That whenever the inhabitants of any township in this state shall become a body corporate in fact and in law in the manner provided by the act to which this is a supplement, and such corporation shall embrace the whole of such township, that the mayor and common council of such borough so incorporated as aforesaid shall, by virtue of this act, become and be absolutely and completely vested with, possess and enjoy all the lands, tenements, hereditaments, property rights, causes of action and estates whatsoever, both in law and in equity, in possession, reversion or remainder, which at the time of such incorporation as aforesaid are or may hereafter become vested in or belonging to the inhabitants of any such township as aforesaid, according to such estate and interest as any such township at the time of the passage of this act has or may hereafter have, or of right ought to have in the same; and the powers and duties of the officers of such township shall cease and determine when corresponding officers shall have been elected and duly qualified; and all officers appointed or elected under this act or the act to which this is a supplement, shall respectively possess the power and perform the duties of the like officers of any township of this state so far as such powers and duties shall be consistent with the provisions of this act.

2. And be it enacted, That all acts and parts of acts inconsistent with the provisions of this act, be and the same are hereby repealed.

3. And be it enacted, That this act shall take effect immediately.

Approved February 15, 1888.

CHAPTER XXXVIII.

An Act for the promotion of manual training.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That whenever any board of school trustees or board of education of any school district in this state shall certify to the state superintendent of public instruction that there has been raised by special district school tax, or by subscription, or both, a sum of money not less than five hundred dollars, for the establishment in such district of a school or schools for manual training, or for the purpose of adding manual training to the course of study now pursued in the school or schools of such district, it shall be the duty of the said state superintendent of public instruction, with the approval of the governor, to draw his order on the comptroller and in favor of said district, for a sum equal to the amount raised by said school district as aforesaid, for said object; and when such school or schools shall have been established, or manual training shall have been added to the course of study in any district, there shall be annually contributed by the state, in manner aforesaid, for the maintenance thereof, a sum of money equal to that raised each year in said district for such purpose; provided, that the course of manual training established or introduced under the provisions of this act shall be approved by the state board of education; provided further, that the moneys appropriated by the state as aforesaid to any school district, shall not exceed in any one year the sum of five thousand dollars, and that all payments made in pursuance of the provisions of this act shall be paid on the warrant of the comptroller out of the income of the school fund.

2. And be it enacted, That the trustees of any school district in this state receiving an appropriation under the provisions of this act, shall annually, on or before the first day of September, make a special report to the state superintendent of public instruction of the progress of manual training in such district, and give such other information in connection therewith as he may require.

3. And be it enacted, That this act shall take effect immediately.

Approved February 15, 1888.

CHAPTER XXXIX.

An Act to secure in this state the certification of marriages, births and deaths, and of the vital facts relating thereto, and to provide for the record thereof.

1. Be it enacted by the Senate and General Assembly of the State of New Jersey, That it shall be the duty of every judge of any court of common pleas, justice of the peace, recorder, police justice, mayor, minister of the gospel, and other person who shall, under the authority of any law of this state, solemnize any marriage therein, and the clerk or keeper of the minutes of any religious society before which any marriage shall be solemnized in this state, to transmit to the officer hereinafter designated, within thirty days after such solemnization, a certificate of each and every marriage solemnized by any such minister, magistrate or other person, or before any such religious society, which certificate shall set forth particularly the name, age, parentage, birthplace, occupation and residence of each of the persons married, the time and place of the marriage, the condition of each of the persons married, whether single or widowed, the name of the minister, magistrate or person by whom, or of the religious society before which the marriage was solemnized, and the names and residences of the witnesses; any minister, magistrate or person, or clerk or keeper of the minutes of any religious society, who shall neglect or fail to transmit such certificate to the officer hereinafter designated, within the time aforesaid, shall be liable to a penalty of twenty dollars.

2. And be it enacted, That it shall be the duty of the physician or midwife present at the birth of any child born in this state, and in case there be no physician or midwife present, then of the parents or either of them, to transmit, within thirty days after such birth, to the officer hereinafter designated, a certificate of such birth, which certificate shall set forth particularly, as far as they can be obtained, the day of the month and year of the birth, the township, city or municipality, and the county, in which the birth occurred, the name of each of the parents, the maiden name of the mother, the birthplace, residence and occupation of each of the parents, the sex and color of the child, the name of the child if it be named, and the name of the attending physician or midwife if any there be; it shall also be the duty of the assessor of every township, and of the clerk or the person acting as registrar of vital statistics in every city, borough, town or local municipal government, between the first and tenth days of April, in each and every year, to mail to each physician or midwife residing in such township, city, borough, town or other local municipal government, or to supply to every such physician or midwife on application thereof, twelve envelopes of proper size, each with a two-cent postage stamp thereon, to be provided at the expense of the township, city, borough, town or other local municipal government, for the use of said physician and midwives in transmitting said certificates of birth to the officer hereinafter designated; any physician, midwife or parent whose duty it may be to transmit such certificate as aforesaid, and who shall neglect or fail to perform such duty within the time above limited, shall be liable to a penalty of twenty dollars; and the assessor of any township who shall ascertain that any physician, midwife or parent has neglected or failed to perform such duty as aforesaid, within the time above limited, shall forthwith make and sign a certificate setting forth the particulars hereinabove specified, and shall mark the same with the words "special return," but no such certificate of the assessor and no failure of any assessor, clerk or registrar of vital statistics to mail the envelopes aforesaid, shall release any physician or midwife, or any parent, from the duty of certifying as to birth in the manner aforesaid, nor from the penalty incurred by any neglect or failure to certify such birth.

3. And be it enacted, That when any person shall die within this state, it shall be the duty of the physician who shall have attended such person during his or her last sickness to furnish to the undertaker, or any member of the family applying therefor, a certificate of such death, which certificate shall set forth particularly, to the best of such physician's knowledge, the name, age, sex, color, nativity, occupation, last place of residence, the township, city or municipality and the county within which the death occurred and the cause of death; if no physician shall have attended such deceased person during his or her last sickness, or if the physician who shall have attended such deceased person shall be absent or sick, so that no certificate of death can be obtained from him in time for burial, then and in either of such cases it shall be lawful for any physician to whom application may be made, after having viewed and examined the dead body, and being satisfied that the deceased person did not come to his or her death by the contrivance, aiding, procuring or other misconduct of any person or persons, to furnish such certificate as aforesaid; in case the attending physician, or the physician applied to as aforesaid, after having consented to act upon such application and viewed and examined the dead body, shall refuse to furnish such certificate as aforesaid, except upon the ground aforesaid, he shall be liable to a penalty of twenty dollars; and if any physician shall refuse to furnish such certificate as aforesaid, upon the ground aforesaid, the same proceedings shall be had as are provided by law for the investigation of the cause of violent, sudden or casual deaths, and the physician or officer who shall conduct such investigation shall furnish such certificate of death as aforesaid.

4. And be it enacted, That every certificate of marriage or birth required to be made by the first and second sections of this act shall, in any city, borough, town or other local municipal government, be transmitted to the superintendent of statistics, if there be such officer, and if not, then to the clerk of the city, borough, town or other municipal government in which such marriage or birth shall occur; and in any township every such certificate shall be transmitted to the assessor of the township in which such marriage or birth shall occur, or if there be no assessor in office, then to the township clerk.

5. And be it enacted, That every certificate of death required to be made by the third section of this act, shall, where the death occurs within any city, borough, town or other local municipal government, be delivered to the registrar of vital statistics of such city, borough, town or other local municipal government, if there be such officer, and if there be no such officer, then to the clerk thereof, and said registrar or clerk shall thereupon issue a permit for the burial of the body of the deceased person described in said certificate of death, and shall forthwith make and permit to the person delivering to him the certificate of death, which permit shall be authority for the burial of such body, but the said certificate of death shall be retained, to be disposed of as hereinafter directed; where the death occurs within any township and the burial is to be made in any place in this state not within the limits of any city, borough, town or other municipal government, the said certificate of death shall be delivered to the assessor of such township, if there be one in office, or if there be no assessor in office, then to the clerk of such township which assessor or clerk shall thereupon issue a permit for the burial of the body of the deceased person described in such certificate of death, shall give said permit to the person delivering to him the certificate of death, and shall retain the certificate of death, to be disposed of as hereinafter directed; provided, however, that when death shall occur within any city, borough, town, or other local municipal government now existing, or which shall hereafter exist, within the limits of any township, then and in such case a permit of burial shall be obtained in the same manner as in other cities, boroughs, towns and for local municipal governments; and provided further, that when a death shall occur within any township and the burial is to be made within the limits of any city, borough, town or other local municipal government of this state, the certificate of any such death may be delivered, if it be more convenient, by the undertaker or person acting as undertaker, to the registrar of vital statistics, if there be such officer, or if there be no such officer, then to the clerk of the city, borough, town or other local municipal government within which such undertaker or person acting as undertaker may reside, or within which the burial is to be made, but in all such cases it shall be the duty of such undertaker or person acting as undertaker, to deliver with said certificate of death, in writing, to such registrar or clerk, the name and post-office address of the assessor, if there be such officer, and if there be none, then of the clerk of the township in which the death shall have occurred, and also the sum of two cents to pay for each such, and said registrar or clerk shall immediately issue a permit for burial as in other cases and shall immediately transmit such certificate by mail to the assessor or clerk whose name and post-office address shall have been furnished as aforesaid, and for any neglect or failure so to transmit such certificate, such registrar or clerk shall be liable to a penalty of twenty dollars.

6. And be it enacted, That in case where, on account of the absence of the registrar of vital statistics or the clerk of any city, borough, town or local municipal government, or for other sufficient reason, it may be impossible to obtain from such registrar or clerk a permit in time for burial, it shall be lawful for any judge of the court of common pleas or any justice of the peace of the county in which the death occurred, on presentation of the certificate of death to him, and being satisfied that such certificate is genuine, and that no permit can be obtained in time for burial from the clerk aforesaid, to issue a special permit for burial in the following form: "I being impossible to obtain a burial permit from the registrar of vital statistics or the clerk of the [stating reason], a judge of the court of common pleas [or a justice of the peace] of the county of , do hereby grant this special permit for the burial of , whose death has been duly certified to me," which permit shall be dated and signed by such judge or justice; the said judge or justice shall transcribe a copy of said permit upon the back of the certificate of death shall give the original permit to the person delivering to him the certificate of death, and shall transmit the certificate, with the transcription thereon indorsed, by mail, in an envelope marked "burial permit," to the state bureau of vital statistics, at Trenton; the judge or justice who shall issue any such permit shall be entitled to charge and receive from the person presenting to him such certificate of death the sum of fifteen cents.

7. And be it enacted, That in case any person shall die without this state, and his or her body shall be brought into this state for burial, it shall be the duty of the family undertaker or other person coming such body into this state, to bring therewith, or send beforehand, a certificate of death made by the physician who attended such deceased person during his or her last sickness, setting forth the particulars specified in the third section of this act, or in lieu thereof, a certificate of death, setting forth said particulars, may be obtained from any physician duly authorized to practice medicine within this state, who shall reside within the township, city, borough, town or other local municipal government within which the burial is to be made, and who shall have made proper inquiry as to the facts required to be certified, and satisfied himself as to the same; if the burial of such body shall be made in any township of this state, such certificate of death as aforesaid shall constitute a sufficient permit for burial; but if the burial shall be made in any city, borough, town or local municipal government of this state, the said certificate shall be delivered to the registrar or clerk thereof, who shall issue a permit for burial, as in cases where deaths shall occur within the city, borough, town or local municipal government of which such registrar or clerk is an officer.

8. And be it enacted, That any undertaker or other person who shall be about to remove from this state the body of any deceased person who shall have died within this state, shall, prior to such removal, obtain a certificate of the death of such person, as required by the third section of this act, and such certificate shall be presented to the assessor of the township in which the death shall have occurred, if there be such officer, or if there be none, then of the clerk of the township in which the death shall have occurred, and shall also pay to said clerk the sum of two cents, and said clerk shall thereupon issue a general or transit permit as aforesaid, and shall also forthwith transmit such certificate by mail, to the assessor or clerk whose name and post-office address shall have been furnished as aforesaid, and for any neglect or failure so to transmit such certificate, such registrar or clerk shall be liable to a penalty of twenty dollars.

9. And be it enacted, That it shall be the duty of the keeper of every cemetery within this state, owned by any cemetery company organized under any law of this state, to keep a record of all interments made in such cemetery, which record shall include the name of the person interred, last place of residence and the name of the undertaker, or person acting as undertaker; said record shall be a public record and at all times open to the inspection of any person who, under any of the laws of this state, shall have duties imposed upon them relating to the procurement or tabulation of vital statistics.

10. And be it enacted, That it shall be the duty of every undertaker in this state, and of every person acting as undertaker in this state, to transmit by mail or otherwise to the assessor of the township, or if there be no assessor, then to the clerk of the township within five days after burial of the certificate of death which he may have received and used as a burial permit in the case of any person who shall have died in such township, or of any person who shall have died out of this state and been buried in such township, and if he shall neglect or fail so to do he shall be liable to a penalty of twenty dollars; and any undertaker, or person acting as undertaker, who shall bury within this state the body of any deceased person without having first received a permit for burial, according to the true intent and meaning of this act, and any clerk who shall sign any permit for burial and deliver the same, or knowingly suffer it to be delivered, to any undertaker or other person, without having first received a certificate of death, according to the true intent and meaning of this act, shall be liable to a penalty of fifty dollars.

11. And be it enacted, That any minister of the gospel, magistrate, physician, midwife or other person, who shall knowingly make any false certificate of marriage, birth or death, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to a fine not exceeding one hundred dollars or imprisonment in the county jail for a period not exceeding three months, or both, at the discretion of the court.

12. And be it enacted, That it shall be the duty of the assessor and clerk of every township, and of the registrar of vital statistics and the clerk of every city, borough, town or other local municipal government now existing, or which shall hereafter exist, within the limits of any township, and the assessor and clerk of every township in this state, on or before the fifteenth day of each calendar month, to transmit by mail to the state bureau of vital statistics, at Trenton, a special report, marked "vital statistics," all the certificates of marriages, births, and deaths received by such officer, and of all "special returns" of births made during the preceding month; and every such assessor, registrar or clerk, upon receiving a certificate from the medical superintendent of said bureau of the whole number of certificates of marriages, births and deaths returned as aforesaid, shall be entitled to receive from the proper disbursing officer of the township, city, borough, town or other local municipal government in which such assessor, registrar or clerk shall be an officer, the sum of ten cents for each marriage, birth and death so returned, the receipt for which shall be attached to the said certificate of the medical superintendent, and no payment shall be made unless such certificate can be produced; and it shall further be the duty of the registrar of vital statistics or the clerk of every city containing thirty thousand inhabitants or over, provided he has been or shall be so directed by the common council or other governing body thereof, before transmitting said certificates to the state bureau of vital statistics to make a complete record of the marriages, births and deaths occurring in such city, which record shall be a transcript of the names and vital facts appearing upon the certificates of marriages, births and deaths delivered to him as hereinbefore directed; the said record shall be so made up that the marriages, the births, and the deaths shall be separate and distinct classes in the books of such form as may be approved by the local board of health, and for making such record the said registrar or clerk shall be entitled to receive from the disbursing officer of the municipal government, be delivered to the registrar of vital statistics of such city, borough, town or other local municipal government, on account of [stating here the reason,] a judge of the court of common pleas [or a justice of the peace] of the county of , do hereby grant this special permit for the burial of , whose death has been duly certified to me," which permit shall be dated and signed by such judge or justice; the said judge or justice shall transcribe a copy of said permit upon the back of the certificate of death shall give the original permit to the person delivering to him the certificate of death, and shall transmit the certificate, with the transcription thereon indorsed, by mail, in an envelope marked "burial permit," to the state bureau of vital statistics, at Trenton; the judge or justice who shall issue any such permit shall be entitled to charge and receive from the person presenting to him such certificate of death the sum of fifteen cents.

7. And be it enacted, That in case any person shall die without this state, and his or her body shall be brought into this state for burial, it shall be the duty of the family undertaker or other person coming such body into this state, to bring therewith, or send beforehand, a certificate of death made by the physician who attended such deceased person during his or her last sickness, setting forth the particulars specified in the third section of this act, or in lieu thereof, a certificate of death, setting forth said particulars, may be obtained from any physician duly authorized to practice medicine within this state, who shall reside within the township, city, borough, town or other local municipal government within which the burial is to be made, and who shall have made proper inquiry as to the facts required to be certified, and satisfied himself as to the same; if the burial of such body shall be made in any township of this state, such certificate of death as aforesaid shall constitute a sufficient permit for burial; but if the burial shall be made in any city, borough, town or local municipal government of this state, the said certificate shall be delivered to the registrar or clerk thereof, who shall issue a permit for burial, as in cases where deaths shall occur within the city, borough, town or local municipal government of which such registrar or clerk is an officer.

8. And be it enacted, That any undertaker or other person who shall be about to remove from this state the body of any deceased person who shall have died within this state, shall, prior to such removal, obtain a certificate of the death of such person, as required by the third section of this act, and such certificate shall be presented to the assessor of the township in which the death shall have occurred, if there be such officer, or if there be none, then to the clerk of the township, city, borough, town or other local municipal government, in which the death shall have occurred, if there be such officer, or if there be none, then to the clerk thereof, or to the registrar of vital statistics of the city, borough, town or other local municipal government, in which the death shall have occurred, or if there be no such officer, then to the clerk thereof, who shall issue to the person presenting such certificate a general or transit permit, according as the case may require; or, if the death shall have occurred in any township, and it shall be more convenient to present said certificate of death to the clerk of some city, borough, town or other local municipal government, such course may be adopted, but the person presenting such certificate shall, in such case, also furnish said clerk with the name and post-office address of the assessor, if there be such officer, and if there be none, then of the clerk of the township in which the death shall have occurred, and also pay to said clerk the sum of two cents, and said clerk shall thereupon issue a general or transit permit as aforesaid, and shall also forthwith transmit said certificate by mail, to the assessor or clerk whose name and post-office address shall have been furnished as aforesaid; and for any neglect or failure so to transmit such certificate, such registrar or clerk shall be liable to a penalty of twenty dollars.

9. And be it enacted, That it shall be the duty of the keeper of every cemetery within this state, owned by any cemetery company organized under any law of this state, to keep a record of all interments made in such cemetery, which record shall include the name of the person interred, last place of residence and the name of the undertaker, or person acting as undertaker; said record shall be a public record and at all times open to the inspection of any person who, under any of the laws of this state, shall have duties imposed upon them relating to the procurement or tabulation of vital statistics.

10. And be it enacted, That it shall be the duty of every undertaker in this state, and of every person acting as undertaker in this state, to transmit by mail or otherwise to the assessor of the township, or if there be no assessor, then to the clerk of the township within five days after burial of the certificate of death which he may have received and used as a burial permit in the case of any person who shall have died in such township, or of any person who shall have died out of this state and been buried in such township, and if he shall neglect or fail so to do he shall be liable to a penalty of twenty dollars; and any undertaker, or person acting as undertaker, who shall bury within this state the body of any deceased person without having first received a permit for burial, according to the true intent and meaning of this act, and any clerk who shall sign any permit for burial and deliver the same, or knowingly suffer it to be delivered, to any undertaker or other person, without having first received a certificate of death, according to the true intent and meaning of this act, shall be liable to a penalty of fifty dollars.

11. And be it enacted, That any minister of the gospel, magistrate, physician, midwife or other person, who shall knowingly make any false certificate of marriage, birth or death, shall be deemed guilty of a misdemeanor, and on conviction thereof shall be liable to a fine not exceeding one hundred dollars or imprisonment in the county jail for a period not exceeding three months, or both, at the discretion of the court.

12. And be it enacted, That it shall be the duty of the assessor and clerk of every township, and of the registrar of vital statistics and the clerk of every city, borough, town or other local municipal government now existing, or which shall hereafter exist, within the limits of any township, and the assessor and clerk of every township in this state, on or before the fifteenth day of each calendar month, to transmit by mail to the state bureau of vital statistics, at Trenton, a special report, marked "vital statistics," all the certificates of marriages, births, and deaths received by such officer, and of all "special returns" of births made during the preceding month; and every such assessor, registrar or clerk, upon receiving a certificate from the medical superintendent of said bureau of the whole number of certificates of marriages, births and deaths returned as aforesaid, shall be entitled to receive from the proper disbursing officer of the township, city, borough, town or other local municipal government in which such assessor, registrar or clerk shall be an officer, the sum of ten cents for each marriage, birth and death so returned, the receipt for which shall be attached to the said certificate of the medical superintendent, and no payment shall be made unless such certificate can be produced; and it shall further be the duty of the registrar of vital statistics or the clerk of every city containing thirty thousand inhabitants or over, provided he has been or shall be so directed by the common council or other governing body thereof, before transmitting said certificates to the state bureau of vital statistics to make a complete record of the marriages, births and deaths occurring in such city, which record shall be a transcript of the names and vital facts appearing upon the certificates of marriages, births and deaths delivered to him as hereinbefore directed; the said record shall be so made up that the marriages, the births, and the deaths shall be separate and distinct classes in the books of such form as may be approved by the local board of health, and for making such record the said registrar or clerk shall be entitled to receive from the disbursing officer of the municipal government, be delivered to the registrar of vital statistics of such city, borough, town or other local municipal government, on account of [stating here the reason,] a judge of the court of common pleas [or a justice of the peace] of the county of , do hereby grant this special permit for the burial of , whose death has been duly certified to me," which permit shall be dated and signed by such judge or justice; the said judge or justice shall transcribe a copy of said permit upon the back of the certificate of death shall give the original permit to the person delivering to him the certificate of death, and shall transmit the certificate, with the transcription thereon indorsed, by mail, in an envelope marked "burial permit," to the state bureau of vital statistics, at Trenton; the judge or justice who shall issue any such permit shall be entitled to charge and receive from the person presenting to him such certificate of death the sum of fifteen cents.

7. And be it enacted, That in case any person shall die without this state, and his or her body shall be brought into this state for burial, it shall be the duty of the family undertaker or other person coming such body into this state, to bring therewith, or send beforehand, a certificate of death made by the physician who attended such deceased person during his or her last sickness, setting forth the particulars specified in the third section of this act, or in lieu thereof, a certificate of death, setting forth said particulars, may be obtained from any physician duly authorized to practice medicine within this state, who shall reside within the township, city, borough, town or other local municipal government within which the burial is to be made, and who shall have made proper inquiry as to the facts required to be certified, and satisfied himself as to the same; if the burial of such body shall be made in any township of this state, such certificate of death as aforesaid shall constitute a sufficient permit for burial; but if the burial shall be made in any city, borough, town or local municipal government of this state, the said certificate shall be delivered to the registrar or clerk thereof, who shall issue a permit for burial, as in cases where deaths shall occur within the city, borough, town or local municipal government of which such registrar or clerk is an officer.

8. And be it enacted, That any undertaker or other person who shall be about to remove from this state the body of any deceased person who shall have died within this state, shall, prior to such removal, obtain a certificate of the death of such person, as required by the third section of this act, and such certificate shall be presented to the assessor of the township in which the death shall have occurred, if there be such officer, or if there be none, then of the clerk of the township, city, borough, town or other local municipal government, in which the death shall have occurred, if there be such officer, or if there be none, then to the clerk thereof, or to the registrar of vital statistics of the city, borough, town or other local municipal government, in which the death shall have occurred, or if there be no such officer, then to the clerk thereof, who shall issue to the person presenting such certificate a general or transit permit, according as the case may require; or, if the death shall have occurred in any township, and it shall be more convenient to present said certificate of death to the clerk of some city, borough, town or other local municipal government, such course may be adopted, but the person presenting such certificate shall, in such case, also furnish said clerk with the name and post-office address of the assessor, if there be such officer, and if there be none, then of the clerk of the township in which the death shall have occurred, and also pay to said clerk the sum of two cents, and said clerk shall thereupon issue a general or transit permit as aforesaid, and shall also forthwith transmit said certificate by mail, to the assessor or clerk whose name and post-office address shall have been furnished as aforesaid, and for any neglect or failure so to transmit such certificate, said